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Letter dated 10 August 2012 from the Secretary-General addressed to the President of the Security Council

Further to the request in Security Council resolution 2059 (2012), paragraph 4, I wish to update the Council on the implementation of the resolution and the situation in Syria since the 2 August 2012 briefing by Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations. I also wish to set forth in the present letter my observations on the future work of the United Nations in Syria.

The cessation of the use of heavy weapons and a reduction in violence by all sides sufficient to allow the United Nations Supervision Mission in Syria (UNSMIS) to implement its mandate, as set out in resolution 2059 (2012), have not been achieved. Temporary, localized reductions in the use of heavy weapons and the level of violence have occurred, and prospects for limited humanitarian pauses have increased in Homs. In other areas however, particularly in Aleppo, the conflict has intensified. Armed opposition elements have launched offensives in Damascus and Aleppo, while Government forces have continued to use heavy weapons. Consequently, the Mission has not been able to exercise its key functions of monitoring the cessation of violence.

As fighting in and around urban centres increases, the humanitarian situation is deteriorating. The number of internally displaced persons is estimated to be well over 1 million people. Over 130,000 Syrians have sought refuge across international borders. Such levels of internal and international displacement, against a backdrop of destruction of civilian infrastructure and residences in areas of origin, pose significant problems for many communities across Syria. Gross human rights violations continue to take place in Syria, including the use of heavy weaponry against the civilian population, abduction and arbitrary detention, the shooting of civilians by snipers, extrajudicial executions and denial of medical protection to wounded civilians.

Various groups of the Syrian political and armed opposition have now put forward positions and visions for a transition in Syria. The Syrian Minister of National Reconciliation has also attempted to begin a process on behalf of the Government. Those initiatives do not represent fundamental changes in the political dynamics of the crisis. For its part, the Government is convinced that it will be able to succeed militarily against the opposition in such key areas as Aleppo. The Government refuses to engage in any political dialogue or move forward with the promised implementation of the six-point plan until the opposition lays down arms. At the same time, the opposition remains equally convinced that its military efforts

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will succeed in toppling the regime and refuses to accept the Government preconditions for dialogue.

I am convinced that the Syrian people must find a Syrian-led alternative to the use of force, and a path to the negotiating table that is unanimously supported by the international community. That alternative should aim to achieve a democratic, pluralistic political system, with equal rights for all. The resolutions of this Council which endorsed the six-point plan, together with the 30 June 2012 communiqué of the Action Group on Syria (A/66/865-S/2012/522), chart the way forward and have guided the efforts of Joint Special Envoy Kofi Annan to facilitate a political settlement.

I would like to take this opportunity to express my deep appreciation to Mr. Annan, who embarked on his challenging assignment with courage and determination, and sought to unite the world around key principles for ending the suffering in Syria and charting a way towards a Syria which meets the aspirations of its people and that preserves its institutions, unity and territorial integrity. The important work he has undertaken must continue. In the light of Mr. Annan's decision to step down at the end of August, I am consulting intensively with the Secretary General of the League of Arab States with a view to appointing a successor to Mr. Annan as soon as possible.

The resolutions of the Security Council, together with those of the General Assembly, continue to provide the basis for the efforts of the Joint Special Envoy to focus on a political transition, while also working towards the achievement of a cessation of violence in Syria. As the Council remains seized of the crisis, I would like to underscore the fact that the Envoy's mission to facilitate an end to the violence and a meaningful political transition cannot succeed without united and cohesive international support. The fulfilment of the mandate of the Joint Special Envoy will continue to require support for a transition process, consistent with the Geneva communiqué, from a United Nations presence on the ground in Syria, including of the Office of the Joint Special Envoy for Syria.

During its short tenure, UNSMIS has played a critical role in establishing significant relationships with members of both the Government and the opposition. It has cultivated networks and contacts, maintained strong liaison and coordination with military, political and community groups and United Nations partners at the local level. UNSMIS succeeded in opening channels of communication and cooperation with a range of key interlocutors at the national level. Within the constraints, UNSMIS military observers have played an equally vital role in seizing openings for confidence-building and dialogue facilitation, as well as fact-finding and verification as events unfold. The Mission allows me to objectively assess developments on the ground and keep the Council duly informed.

These activities must fit within the framework of an overall political solution pursued by the Syrians themselves. This requires ensuring that the United Nations is ready to take every opportunity to engage on the political track, effectively and immediately. Communication with stakeholders on the ground must be the centrepiece of our approach, and we must ensure that the Organization has the tools and structures in place to facilitate and support any positive progress made by the parties.

Without an appropriate United Nations presence to play a facilitating role, the ability to directly access, support and facilitate engagement with and between key stakeholders, and to verify and report opportunities and evolving conditions for dialogue will be severely limited. At the same time, regional outreach and engagement remain critical, given the initiatives of the Joint Special Envoy.

In this regard, a continued United Nations presence in Syria that goes beyond our important humanitarian work would allow systematic and meaningful engagement with the Syrian stakeholders, inside the country, to seek their views on and participation in building a peaceful future for their people, as envisaged in the decisions of the Security Council and the General Assembly, and further to the frameworks of the six-point plan and the 30 June 2012 communiqué of the Action Group. Furthermore, a flexible United Nations presence in Syria would provide the United Nations with an impartial means of assessing the situation on the ground, which would thus permit it to address the situation more effectively.

Let me underscore that, within the constraints imposed by the conditions on the ground, the United Nations Country Team will continue its important work of helping to alleviate the suffering of the Syrian people. The United Nations humanitarian agencies will remain active, even if the mandate of UNSMIS expires. But, beyond this, I think it is imperative for the United Nations to have a presence in Syria that can work in other areas to support me in utilizing my good offices, in particular, to support the work of the Joint Special Envoy in mediating and facilitating a peaceful resolution to the crisis. The United Nations cannot discontinue its support and assistance to the Syrian people in helping to find an end to this crisis. Rather, we must adapt to the situation while pursuing our efforts. I intend therefore to work in the immediate future towards establishing an effective and flexible United Nations presence in Syria that will support our efforts with the parties to end hostilities and, where possible and agreed, to support the Syrians in taking the steps they identify towards a negotiated and inclusive political settlement.

Preventing the worst possible outcome and reducing and containing the repercussions of the conflict are a priority, while we also work to help the parties resolve the crisis. One of the greatest risks is a descent into a full-scale civil war. United Nations engagement with all sectors of society, with a view to developing channels of communication across communal divides and building possible areas of consensus is essential if ways are to be found to protect communities from the worst effects of a civil war. This should be considered one of the most urgent priorities of the United Nations, whether through the Office of the Joint Special Envoy, through UNSMIS or through other instruments of the United Nations system.

It is our responsibility to do all we can to stop the violence among the Syrian people and to assist them in resolving their differences and building a future that meets their legitimate aspirations. While we mobilize the United Nations system to support the people of Syria, we must remind the parties, and above all the Government, that they have the primary responsibility for resolving the crisis which is currently devastating their country.

I am extremely concerned at the continuing militarization of the conflict in Syria, which has grave humanitarian consequences. I appeal to outside parties, and especially the regional countries, and emphasize their responsibility to do all they can to end this situation. I call on the Security Council to spare no effort in search of common ground, in order to help the Syrian people end the violence and start

charting a way towards an inclusive, peaceful and democratic future. I once again urge the Government of Syria and the armed opposition to cease military activities, protect civilians, and abide by their obligations under international human rights and humanitarian law.

I should be grateful if you would bring this letter to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon